

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :
: CRIMINAL NO. 05-642-1
v. :
: SANT HARRISON :
:

MEMORANDUM AND ORDER

Defendant's motion for release pending appeal does not satisfy all the conditions necessary to grant such a motion.

Specifically, the defendant does not raise a substantial question of law or fact. Moreover, even if he were successful on his RICO appeal, the Hobbs Act convictions would remain. Thus, it is unlikely that a successful appeal of the RICO conviction would change his sentence since it was based on conduct similar to the other defendants, except this defendant was in a leadership position, a fact reflected in the extra two months he received.

Accordingly, the following order is entered:

AND NOW, this day 18th day of September, 2007, it is hereby **ORDERED** that defendant's motion for release pending appeal (Docket No. 130) is **DENIED**.

BY THE COURT:

s/ Ronald L. Buckwalter, S. J.
RONALD L. BUCKWALTER, S.J.